Fortieth Judicial Circuit of Michigan

Lapeer County Friend of the Court

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INFORMATION ON LAPEER COUNTY FRIEND OF THE COURT STIPULATED ORDER REQUEST PROGRAM

What is a Stipulated Order? A written agreement between the parties and approved by the judge. The Friend of the Court will only prepare a Stipulated Order for parties on a three year basis. If the parties wish to change their order in less than three years, they would be required to file a motion or hire an attorney.

Who can use the Stipulated Order Request Form? Parties who **agree,** and;

- Have a child support order or judgment of divorce entered in Lapeer County.
- Are not receiving **any** form of public assistance. This would include childcare, food stamps, TANF, etc.
- Are not represented by an attorney.
- Language of prior orders and the terms of the proposed stipulation may limit the ability to process the request.

Issues that may be able to be addressed:

- Alimony arrearages owed to one of the parties.
- Change of Domicile.
- Child care contribution.
- Child support.
- Child support arrearages owed to one of the parties up to $500.00.
- Custody (A change in physical custody will affect child support and parenting time.)
- Parenting time abatement.
- Parenting time provisions.
- Uninsured medical expenses.

Issues that cannot be addressed:

- Change in child support that deviates from the Michigan Child Support Formula.
- Change the property provisions of the judgment of divorce.
- Eliminate automatic enforcement.
- Eliminate the order of income withholding.
- Reduction in the collection rate arrearages owed to the State of Michigan.
- Request direct payments.
- Terminate parental rights.

Scheduling a Stipulated Order appointment:

- Stipulated order request forms must be completely filled out and signed by both parties.
- Notice of the appointment date and time will be mailed to you within two weeks of receipt of the stipulated order request form.

- Appointments are given on a first-come first-served basis, usually within three months.
- Appointments are scheduled for one hour.
- Both parties **must** attend if their residence is in the lower peninsula of Michigan.
- You must provide a copy of your current medical insurance card.
- Current income information must be provided if the change involves support or custody. This means a copy of your last three Federal income tax returns and your six most recent pay stubs.
- A filing fee of $40.00 is required for all stipulated orders involving the issue of child support **or** a filling fee of $80.00 is required for all stipulated orders involving the issue(s) of custody and/or parenting time and child support. It must be paid by certified check or money order, made payable to the Lapeer County Clerk. It **must** be presented to the Friend of the Court caseworker at the time of your appointment.

Why must current income be provided involving support or custody?

- The law requires that all support orders conform to the child support recommended by the Michigan Child Support Formula.

What happens at the appointment?

- Each party checks in with the Friend of the Court receptionist.
- The filing fee is given to the Friend of the Court caseworker by the parties.
- The parties are interviewed by a Friend of the Court caseworker.
- If the parties' request is reasonable and they agree, the order is drafted.
- If the parties' request is unreasonable or they do not agree, the appointment is ended, no order is drafted, and the filing fee is returned to the parties.
- If both parties sign the order, each is given a copy and the original is sent to the judge.

What happens after the judge signs the order?

- The Friend of the Court receives a copy of the order.
- The Friend of the Court makes the necessary adjustment to the account.
- The Friend of the Court adjusts the order of income withholding.
- Both parties are mailed a copy of the order that was signed by the judge.

Commonly asked questions regarding the Stipulated Order Request Program:

- Do we have to keep the appointment? After all, both of us signed the request form and agree. **Yes**

- Neither one of us now live in Michigan. Can we use this program? **Yes**

- Do I have to sign the order if I'm having second thoughts about the change? **No**

- When the other party and I agree and sign the stipulated order request form, isn't that the order? **No**

If you have additional questions about the stipulated order request form, please contact your caseworker in writing.

STIPULATED ORDER REQUEST FORM

The Friend of the Court provides a free legal service **to parties who have reached an agreement on changing child support, custody or parenting time.** Parties who have reached such an agreement should fill out this form and return it to the Lapeer County Friend of the Court, 255 Clay Street, Lapeer, MI 48446. Upon receipt of this completed form, a caseworker will schedule a meeting with the parties to sign a Stipulated Order based on the agreement. **Incomplete forms will be returned.** Please fill in all the blanks below:

Case Name: _____ vs _____

Case Number: _____ Judge's name: _____

Plaintiff's name: _____

Plaintiff's address (including city and zip code): _____

_____

Plaintiff's daytime phone number: _____

Plaintiff's gross weekly income (provide your 6 most recent paystubs): _____

Defendant's name: _____

Defendant's address (including city and zip code): _____

_____

Defendant's daytime phone number: _____

Defendant's gross weekly income (provide your 6 most recent paystubs): _____

The Stipulated Order you wish to have entered is for a change or changes in the following:

☐ Custody changed as follows: _____

_____.

☐ Parenting time changed as follows: _____

_____.

☐ Child Support changed as follows: _____

_____.

☐ Other: _____

_____.

Must state REASON for change: _____

_____.

PLEASE USE THE BACK OF THIS FORM IF NECESSARY

On what date would you like the requested change(s) to take effect? _____

BOTH PARTIES MUST SIGN BELOW: I request services under the child support enforcement program of Title IV-D of the Social Security Act.

_____ _____

Plaintiff's signature Date Defendant's signature Date

THIS IS NOT A COURT ORDER AND IS INTENDED FOR FRIEND OF THE COURT USE ONLY.